

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW HAMPSHIRE

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CONSERVATION LAW FOUNDATION, )  
INC. )  
Plaintiff, )  
v. ) Case No. 1:22-cv-00067  
SCHNITZER STEEL INDUSTRIES, INC.; )  
PROLERIZED NEW ENGLAND, LLC; )  
JOINT VENTURE OPERATIONS, INC.; )  
PROLERIDE TRANSPORT SYSTEMS, )  
INC.; and MAINE METAL RECYCLING, )  
INC., )  
Defendants )

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**JOINT MOTION FOR EXTENSION OF TIME TO SERVE COMPLAINT**

Pursuant to Fed. R. Civ. P. 6(b), Plaintiff Conservation Law Foundation (“CLF” or “Plaintiff”) and Defendants Schnitzer Steel Industries, Inc.; Prolerized New England, LLC; Joint Venture Operations, Inc.; Proleride Transport Systems, Inc.; and Maine Metal Recycling, Inc. (collectively, “Schnitzer” or “Defendants”), respectfully submit this Joint Motion for a 90-day extension of the deadline for CLF to serve the Summons, Complaint and Civil Case Opening Documents on Defendants.

1. CLF filed its Complaint with this Court on February 22, 2022. On May 19, 2022, CLF filed a Joint Motion for Extension of Time to Serve Complaint. ECF No. 6. On May 20, 2022, the Court granted the Motion and extended the deadline for CLF to serve the Complaint on Defendants until August 22, 2022. On August 19, 2022, CLF filed a second Joint Motion for

Extension of Time to Serve Complaint. ECF No. 11. On August 22, 2022, the Court granted the Motion and extended the deadline for CLF to serve the complaint on Defendants until November 21, 2022.

2. The Parties request that the Court extend and reset the deadline for service by CLF on Defendants from November 21, 2022 to February 20, 2023. The Parties have good cause for seeking an extension of time for service under Fed. R. Civ. P. 6(b), as they are in ongoing negotiations in an effort to resolve or narrow the issues in the above-captioned case, as well as in the related cases *CLF v. Schnitzer Industries, Inc. et al.* in the District of Puerto Rico, 3:22-cv-01087-ADC, and *CLF v. Schnitzer Industries, Inc. et al.* in the District of Massachusetts, 1:22-cv-10295-AK.

3. The Parties have exchanged information and settlement offers and have met multiple times between January and November 2022 to discuss a potential out-of-court resolution.

4. The Parties anticipate finalizing a settlement agreement in the related District of Puerto Rico case *CLF v. Schnitzer Industries, Inc. et al.*, 3:22-cv-01087-ADC, within the next four weeks.

5. The Parties expect that the settlement negotiations for the above-captioned case will progress quickly following the finalization of the related District of Puerto Rico case *CLF v. Schnitzer Industries, Inc. et al.*, 3:22-cv-01087-ADC, as many if not most of the terms for the settlement of the above-captioned case will be identical to those already negotiated in the District of Puerto Rico case.

6. The Parties plan to continue exchanging settlement offers and holding additional settlement discussions between November 2022 and February 2023, with the goal of finalizing a settlement agreement by February 20, 2023.

7. An extension of the time to effect service will allow for further exchange of information and negotiations, which may resolve the underlying issues in the action without expending judicial resources.

8. Pursuant to Local Rule 7.2(a), the extension of time sought would not result in the continuance of any pending hearing, conference, or trial, in the above-captioned matter.

WHEREFORE, the Parties respectfully request that the Court:

A. Extend the deadline for CLF to serve the Summons, Complaint and Civil Case Opening Documents on Defendants until **February 20, 2023**; and

B. Grant such other and further relief as the Court deems fair and just.

Date: November 17, 2022

Respectfully submitted,

CONSERVATION LAW FOUNDATION, INC.

By its attorneys:

/s/ Thomas F. Irwin

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Date: November 17, 2022

Respectfully submitted,

SCHNITZER STEEL INDUSTRIES, INC.;  
PROLERIZED NEW ENGLAND, LLC;  
JOINT VENTURE OPERATIONS, INC.;  
PROLERIDE TRANSPORT SYSTEMS, INC.;  
MAINE METAL RECYCLING, INC.

By their attorney:

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PROFESSIONAL ASSOCIATION

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**CERTIFICATE OF SERVICE**

I hereby certify that on November 17, 2022, the foregoing Joint Motion was filed through the ECF system, by which means a copy of the filing will be sent electronically to all parties registered with the ECF system.

/s/ Thomas F. Irwin  
Thomas F. Irwin